



THE NAVAJO NATION

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## President Begaye praises Interior Department for approving gaming compact



*Navajo Nation Gaming Enterprise board members and staffers stand proudly with President Russell Begaye. (Photo by Lynette Willie)*

WINDOW ROCK, Ariz.—With eight days to spare, the Tribal-State Gaming Compact between the State of N.M. and the Navajo Nation is in effect, as of June 22.

The agreement allows the Navajo Nation, Jicarilla Apache Nation, Mescalero Apache Tribe, Pueblo of Acoma and Pueblo of Jemez to continue gaming operations for the next 22 years.

The gaming compact was set to expire on June 30.

“We worked hard on the compact. This compact is an integral part of the Navajo economy and an exercise of our tribal sovereignty and self-determination,” said Navajo Nation President Russell Begaye.

President Begaye said he was disappointed last year when the compact died on the senate floor of the N.M. Legislature by a vote of 10-31.

The 2014 gaming compact was solely for the Navajo Nation and contained provisions that were unpopular with neighboring tribes in the state.

For more than a year, the Navajo Nation negotiated with

neighboring tribes and crafted an agreement that was favorable to all.

President Begaye commended the tribes for working cooperatively, but said the jurisdiction over gaming compacts by the federal government must be maintained.

The lack of knowledge on Indian nations and the issues facing N.M. tribes by state legislators was the problem in getting the compact passed the first time around, he said. The negotiation of tribal gaming compacts and other issues such as water rights must remain in the hands of the federal government, he added.

“The federal government must live up to their trust responsibility and not push that obligation to the states,” President Begaye said. “Last year, we were really disappointed to see (the compact) get voted down.

“I guess in some ways, it’s good because this year, the compact is a little better than what the state was going to give us from last year,” he added.

A new provision included in the 2015 gaming compact allows



casinos to remain open for 24 hours a day. Another provision established a marker program for gamblers who meet income guidelines and cash balances in their bank accounts.

Allowing tribes to provide complimentary food and lodging was another new provision.

Other components include the tribal self-exclusion program, which reports information on how funds are spent for problem gambling programs and enforcement of arbitration provisions for the state.

Additional concessions by the state provided that tribes would no longer have to make revenue sharing payments if state operated racetrack casinos expanded beyond six or increased the number of gambling machines or hours of operation.

Vice President Jonathan Nez said he has hope that the spirit of cooperation that was demonstrated with N.M. can also be a part of the negotiations with Ariz. when the tribal gaming compact comes up for review.

“We would like to see the same willingness to work together with our friends in Arizona,” said Vice President Nez.

Karis Begaye, an attorney with Navajo Nation Department of Justice, said the compact was officially published in the Federal Register on June 22.

“We are updating our gaming ordinance for implementation of the compact,” Begaye said. “The Navajo Nation Gaming Enterprise is also conducting training for implementation of the compact.”

She said the Flowing Water Casino would be designated as the Navajo Nation’s legacy casino under terms of the compact.

Kevin Washburn, Assistant Secretary on Indian Affairs for the U.S. Department of Interior, sent a letter detailing the approval of the tribal-state gaming compacts to President Begaye on June 9.

Washburn stated, “Each tribe is a separate and independent sovereign with its own identity and salient issues, and that good faith negotiations require the State to address issues that are actually relevant to each tribe.

“Here, our understanding is that each of the Tribes made an independent determination that coordinating their efforts to negotiate the 2015 Compacts was in their best interests,” he added.

Derrick Watchman, CEO of Navajo Nation Gaming Enterprise, said they are working with their stakeholders and partners moving forward.

“We are implementing the new provisions, including updating the gaming ordinance through the Navajo Nation Council,” Watchman said. “We are training our team members about the new provisions.

“This will take about 30 days to complete and make us more competitive and keep us consistent with the Indian Gaming Regulatory Act,” he added.

Paulene Thomas, executive director of the Navajo Nation Gaming Regulatory Office, echoed Watchman’s sentiments.

“We are very pleased with the new gaming compact. There are new provisions and the Navajo casinos and gaming regulatory office are able to fulfill them,” Thomas said.

She said the role of her office is to ensure that Navajo casinos are in compliance with Ariz. and N.M. compacts, including federal and tribal laws.

The Interior Department took no action on the 2015 gaming compacts within the 45-day review period and as a result, the compacts were deemed approved and became effective upon publication of notice in the Federal Register on June 22.



*Navajo Nation President Russell Begaye said the 2015 provided new concessions by the state of N.M. that were not available in the tribal-state gaming compact that was negotiated last year. (Photo by Rick Abasta)*



*Navajo Nation Vice President Jonathan Nez said he has high hopes that the tribal-state gaming compact negotiations with the state of Ariz. will also be done in the spirit of cooperation like the N.M. compact. (Photo by Rick Abasta)*



*The Northern Edge Casino in Fruitland is operated in N.M. by Navajo Nation Gaming Enterprise, along with Fire Rock Casino in Gallup and Flowing Water Casino in Water Flow. The nation can open a fourth casino later. (Courtesy photo)*